

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

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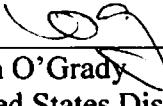
ROQUE "ROCKY" DE LA FUENTE,	)	
	)	
Plaintiff,	)	Civil No. 1:16-cv-1201
	)	
v.	)	Hon. Liam O'Grady
	)	
JAMES B. ALCORN <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	
	)	

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**ORDER**

Mr. Roque ("Rocky") De La Fuente initially brought suit in this Court seeking emergency injunctive relief to obtain a place on the Virginia ballot as a candidate for the 2016 presidential election. The Court denied Plaintiff's request for emergency relief (Dkt. No. 17). After the 2016 election, the Court granted Defendants' motion to dismiss without prejudice. (Dkt. No. 29). Plaintiff subsequently filed his amended complaint on December 19, 2016. (Dkt. No. 30). In response, Defendants filed a second motion to dismiss for failure to state a claim under Rule 12(b)(6). (Dkt. No. 31). After consideration of the parties' briefing, and for good cause shown, the Court hereby **DENIES** Defendants' motion to dismiss. Defendants shall file an answer within 14 days of this Order.

It is **SO ORDERED**.

  
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Liam O'Grady  
United States District Judge

March 21, 2017  
Alexandria, Virginia